



FEMA

Dear Policyholder:

After reviewing the issues raised in the flood insurance appeal submitted August 2019, the Department of Homeland Security, Federal Emergency Management Agency (FEMA) concurs with the decision of your flood insurer, Wright National Flood Insurance, to deny payment for your seawall and exterior sheathing.

On July 2019, your insurer denied coverage for your seawall. In your appeal, you write that the seawall was needed to keep your property intact and acts as a mitigating factor to reduce flood. You also request that FEMA reconsider the removal of masonry bricks to replace water damaged and mold covered exterior sheathing. On December 2018, your insurer denied coverage for your sheathing because the engineer did not believe it sustained functional damages and is expected to function as intended upon adequate drying.

Based on the Standard Flood Insurance Policy (SFIP), the insurer agrees to pay a policyholder for covered property damaged by direct physical loss by or from flood provided the policyholder complies with all terms and conditions in the policy (see the SFIP (I), (II)(B)(12)). However, the SFIP states that fences, retaining walls, seawalls, bulkheads, wharves, piers, bridges, and docks are not covered (see SFIP (IV)(12)). Therefore, FEMA concurs with the insurer's decision as it relates to your appeal for the seawall.

FEMA's review finds that your appeal of sheathing is ineligible because it is untimely. Your insurer notified you on December 2018 that coverage for damages to the sheathing was denied. Under the SFIP, a policyholder must appeal a full or partial denial of a claim by the insurer within 60 days of the date of the insurer's written denial letter (see 44 C.F.R. 62.20(e)(1)). The date on your denial letter is Thursday, December 2018; you emailed your appeal on Thursday, August 2019. As such, you submitted the appeal 238 days after the date of the denial letter. In accordance with our regulations, FEMA will not consider your sheathing appeal.

We are sorry we cannot be of further assistance to you at this time and hope this information helps you to resolve your flood insurance issues.

Sincerely,

Kelly Bronowicz
Director, Policyholder Services Division
Federal Insurance and Mitigation Administration